

RealClear Education

Districts Are Blocking Charters From Using Vacant Schools

By Jonathan Butcher
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The Detroit public school district is blocking parents and children from buying a building the district doesn't even own.

Detroit Prep, a charter school, wants to move out of a church basement and into the former Anna Joyce Elementary building. Detroit's public school district no longer owns the building. It sold the facility to a private landlord in 2014.

But the school district – now called the Detroit Public Community Schools District (DPCSD) – is trying to block the sale anyway.

Under rules that only a bureaucrat could love, DPCSD managed to insert resale restrictions in the building's deed. Those provisions limit new uses to residential purposes until 2024, according to Chalkbeat.

"Being able to be in a building would be critical to the long-term success of our school," Kyle Smitley, co-founder of Detroit Prep and Detroit Achievement Academy, said in an interview. "It's the closest facility to our current location so that we could still serve our current students and families."

Smitley's team offered \$150,000 more than what the current landlord bought the facility for and agreed to pay an additional \$75,000 to the school district—not the seller—based on other sweetheart provisions in the building's deed.

Detroit joins Tucson and Milwaukee as cities where traditional school administrators and school boards have stopped or slowed private school and public charter school efforts to repurpose vacant school buildings. Since 2010, the Tucson Unified School District (TUSD) has closed some 20 district schools due to declining enrollment. Today, it sits on all or part of at least a half-dozen of these buildings.

The school board's website says it's holding some of these buildings "for future growth," even though local media report that the district has 13,000 empty seats in the schools still in use. Meanwhile, classrooms are empty and, as in Detroit, easy prey for vandals.

Milwaukee's record is worse. In 2010, the Milwaukee Public School District was holding 27 empty buildings. The district managed to write deed restrictions similar to those in Detroit that prevent vacant facilities from being repurposed into schools that are not part of the traditional school district. In March 2017, the Wisconsin Institute for Law & Liberty reported the district now has 39 empty or underused facilities.

Cities like Chicago, Philadelphia and Washington, D.C., have also closed multiple traditional schools in recent years and been slow to sell or make use of the buildings. Last year, the Washington, D.C., Public Charter School Board found 10 empty traditional school buildings that could be repurposed.

State lawmakers should not force taxpayers to maintain empty school facilities, the result of district behavior in these cities. In 2010, Milwaukee taxpayers paid \$1 million to maintain its empty buildings. In Charleston, S.C., taxpayers shelled out nearly a half-million for the upkeep of five closed school buildings.

Districts should be required to sell or lease buildings that the district is not using to the highest bidder. Likewise, state lawmakers should not allow districts to stall the process of selling or leasing facilities.

New or growing private and charter schools would be natural buyers for vacant traditional school facilities. Allowing them in would do a service to the community by adding to the local area's number of learning options.

As for Detroit, Smitley's team is suing the district. "When we were first starting this struggle, I stayed in a place that this was a misunderstanding for a really long time," she said. "Hearing that this is a common practice with school boards all over the country is incredibly sad."

"Fighting to deny access to a quality charter option by stopping the sale of a vacant building is no way to improve students' educational prospects or win the support of parents," Ben DeGrow, Director of Education Policy at the Michigan-based Mackinac Center, stated. "While everyone would get something from the deal, families who need access to better schools would end up being the biggest winners."

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